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09/804,385	03/12/2001	Edwin George Watson	EGW-001	1037

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/804,385

Applicant(s)

WATSON, EDWIN GEORGE

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 1-20 are objected to because of the following informalities: in claim 1, there is missing a “,” in line 5, and similar problems can be found in claims 8 and 17. Appropriate corrections are required.

Claim Rejections - 35 USC § 112

2. Claims 3, 7, 11, 15, and 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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8/03
Regarding claims ^{3 and 11} ~~3, 4, 5, 11, and 12~~, the phrases "such as" and "the like" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claims 7 and 15 line 3, “including but not limited to” is indefinite.

Claims 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because the dependent claims 18-20 were claimed as method claims, but claim 17 is a system claim; therefore, claims 18-20 are confusing. Examine will assume that they are system claims when rejecting claims 18-20.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Torres et al. (U.S. Patent No. 5,550,969).

These rejections were made based on the understanding of the examiner as to what was being claimed.

As to claim 1, Torres teaches a method of displaying data in an information display system comprising:

- differentiation means to distinguish to the user portions of said data which has been displayed in at least a section of a display screen prior to one or more view change operations, from that portion of said data which was essentially undisplayed prior to said view change operation (col. 1 line 53-col. 2 line 7, and figs. 2-5);

- continuation means to increment said differentiation of said data with subsequent updates of any views (UPDATE routine, col. 4 lines 31-48 and figs. 7-8).

As to claim 2, Torres teaches the method of claim 1, wherein said differentiation means includes graphical shading means, in any direction, to mark data sections (selections are with respect to the current window view, col. 1 lines 61-67).

As to claim 3, Torres teaches the method of claim 1, wherein said differentiation means includes features such as lines, bars; arrows, frames, outlines, special fonts, variable spacing,

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flashing characters, and the like, which after a view change operation, are displayed on said viewable area and directs the eye to continue viewing at the point of newly displayed data (Automatically displays a selection collection icon that represents the selected objects, col. 2 lines 1-7).

As to claim 4, the method of claim 1, further comprising:

- segregation means to mark previously displayed data with at least one substantially adjacent character field in proximity to data field, which after a view change directs the eye to continue viewing at the point of newly displayed data (col. 3 lines 8-45).

As to claim 5, Torres teaches the method of claim 1, wherein said differentiation means includes dissolve means which allow said differentiation means to fade away from said display area after a certain amount of elapsed time or a certain number of subsequent viewing operations (all sections are removed from scroll bar, 5 lines 1-13).

As to claim 6, Torres teaches the method of claim 1, further comprising:

switching means to toggle said differentiation means between states where previously displayed data is marked to where previously undisplayed data is marked (selections are saved into display buffer, col. 4 lines 39-48).

As to claim 7, Torres teaches the method of claim 1, further comprising:

- metrics means to gather and process statistics from the viewing session, including but not limited to; sections of said data file that were displayed, sections of said data file that were not displayed, elapsed time said sections of said data file were displayed, and number of times said sections were displayed (The user thus knows that three selections have been made, col. 3 lines 56-65).

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As to claim 8, Torres teaches a method of displaying data in an information display system having a display screen and a scrolling means, where if said data file is larger than current display region, scrolling or view changes allow piecewise display of said data file comprising:

detection means to detect status of said data portions in said display (Automatically displays a selection collection icon that represents the selected objects, col. 2 lines 1-7);

indication means to mark or visually differentiate said display status (marker icons, col. 5 lines 31-50).

As to claim 9, Torres teaches the method of claim 8, further comprising:

- continuation means to increment said indication means of said data with subsequent updates of the view (UPDATE routine, col. 4 lines 31-48 and figs. 7-8).

As to claim 10, Torres teaches the method of claim 8, wherein said indication means includes graphical shading means, in any direction, to mark data sections (col. 1 lines 61-67, and col. 5 lines 31-50).

As to claim 11, Torres teaches the method of claim 8, wherein said indication means includes features such as lines, bars, arrows, frames, outlines, special fonts, variable spacing, flashing characters, and the like, which after a view change operation, are displayed on said viewable area and directs the eye to continue viewing at the point of newly displayed data (col. 2 lines 1-7).

As to claim 12, Torres teaches the method of claim 8, further comprising:

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- segregation means to mark previously displayed data with at least one substantially adjacent character field(s) in proximity to data field, which after a view change directs the eye to continue viewing at the point of newly displayed data (col. 3 lines 8-45).

As to claim 13, Torres teaches the method of claim 8, wherein said indication means includes dissolve means which allow said indication means to fade away from said display area after a certain amount of elapsed time or a certain number of subsequent viewing operations (all sections are removed from scroll bar, 5 lines 1-13).

As to claim 14, Torres teaches the method of claim 8, further comprising:

- selection means whereby results of said differentiation means can be converted to selected data in conjunction with an editing system which may use said selected data sections to perform editing procedures (updated with the selection cursor attached to the selection icon in block, col. 4 lines 49-67).

As to claim 15, Torres teaches the method of claim 8, further comprising:

- metrics means to gather and process statistics from the viewing session, including but not limited to; sections of said data file that were displayed, sections of said data file that were not displayed, elapsed time said sections of said data file were displayed, and number of times said sections were displayed (The user thus knows that three selections have been made, col. 3 lines 56-65).

As to claim 16, Torres teaches the method of claim 8, further comprising:

- adjustment means to provide continuous viewing by forcing newly displayed data to start at essentially one begin location in said display region, and subsequently adjusts said viewing area to accommodate varying size data sections, or append null data to said data file to

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allow said newly displayed data to start at said begin location (position and size of the visible information in relation to all the information that is available, col. 3 lines 26-37).

As to claim 17, it is a system claim of combination method claims 1 and 5. Note the rejections of claims 1 and 5 above.

As to claims 18-19, they are system claims of method claims 8 and 15. Note the rejections of claims 8 and 15 above.

As to claim 20, Torres teaches the system of claim 17, further comprising:

- scrolling means whereby said differentiation means can be grabbed and moved by a point and click device as used in conjunction with the user interface, resulting in moving said data file section and differentiation means with respect to said viewing area (dragging and clicking icons, col. 1 line 53-col. 2 line7).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bernhardt et al. (U.S. Patent No. 6,496,208 B1) teach display documents, sections, scrolling, sizing, and update (cols. 2-8 and figs. 4-5A).

Carroll et al. (U.S. Patent No. 6,154,205) teach highlight, focus, magnify, sections, and scrolling (cols. 2-8 and figs. 3-8).

Lynch et al. (U.S. Patent No. 5,689,669) teach highlight, finding text, sections, and focus (cols. 4-34 and figs. 3-28).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

08/21/03

Kristine Kincaid
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